

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

WONDA JOHNSON

PLAINTIFF

V.

CIVIL ACTION NO. 1:25-CV-7-DMB--DAS

LOWNDES COUNTY MISSISSIPPI

DEFENDANT

ORDER STAYING CASE

In this action, Wonda Johnson, a black woman, was in a physical altercation with a white female co-worker. Johnson was fired and the co-worker neither discharged or subjected to other discipline. According to Johnson's allegations a verbal confrontation was escalated into a physical fight when the co-worker shoved her. Johnson admits she responded by hitting the co-worker. The co-worker pressed a simple assault charge against Johnson in July 2023. The charge remains pending in the municipal court. Johnson equates her actions with those of the co-worker and claims the different results show race discrimination.

The defendant, Lowndes County, Mississippi, moved to stay this case. The plaintiff has not responded in opposition to the motion. Given Johnson's allegations, it is far from certain that Johnson would invoke her Fifth Amendment rights in discovery and the court disagrees that the action would be barred under *Heck v. Humphrey*, 512 U.S. 477 (1994). But there is an overlap of facts between the civil and criminal cases, and resolution of the criminal charge could be helpful in resolving the case.

The court's main concern about granting a stay is that it has seen civil cases languish for years on its docket while criminal charges are delayed repeatedly. The court finds that this case should be stayed for a reasonable, additional time period to allow for the resolution of the pending charge.

IT IS ORDERED, that this case is stayed. The case management conference is cancelled, along with the requirements for the attorney conference and pre-discovery disclosures. The defendant shall provide a status report on the pending charge every sixty days.

SO ORDERED this the 28th day of March, 2025.

/s/ David A. Sanders

UNITED STATES MAGISTRATE JUDGE